

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

PHILADELPHIA INDEMNITY  
INSURANCE COMPANY,

Plaintiff,

v.

NEYLAND APARTMENT ASSOCIATES  
FIVE, LLC, and CARSON R. GENTRY,

Defendants.

No. 3:18-CV-89-HBG

**ORDER**

This case is before the undersigned pursuant to 28 U.S.C. § 636(c), Rule 73 of the Federal Rules of Civil Procedure, and the consent of the parties, for all further proceedings, including entry of judgment [Doc. 8].

Now before the Court is Plaintiff's Motion to Amend Complaint [Doc. 37]. For grounds, Plaintiff states that this matter is a Declaratory Judgment whereby Plaintiff requests that the Court declare its legal obligations and rights pursuant to a contract of insurance with Defendant Neyland Apartment Associates Five, LLC ("Neyland") in light of litigation filed by Defendant Carson Gentry. The Motion states that in that litigation, Defendant Gentry has filed a Third Amended Complaint, naming DLH Cottages on Tazewell, LLC ("DLH"). DLH has recently requested that Plaintiff provide it a defense in the underlying litigation filed by Defendant Gentry. Plaintiff seeks to amend the Complaint to add DLH to the instant matter. Plaintiff states that Defendants do not oppose the Motion. Finally, the Court observes that Plaintiff attached the First Amended Complaint for Declaratory Judgment as an exhibit [Doc. 37-2] to its Motion in accordance with

Local Rule 15.1.

The Court finds that Plaintiff's Motion is supported by good cause, *see* Fed. R. Civ. P. 15, and it complies with the Rules of this Court, *see* E.D. Tenn. L.R. 15.1. In addition, Defendants do not oppose the Motion, and the Motion is timely under the Scheduling Order. *See* [Doc. 33 at 6] ("If any party wishes to join one or more additional parties or amend to add alleged tortfeasors, such joinder or amendment shall be made on or before February 11, 2019."). Accordingly, Plaintiff's Motion to Amend Complaint [Doc. 37] is **GRANTED**. Plaintiff **SHALL FILE** its First Amended Complaint for Declaratory Judgment [Doc. 37-2] as its operative pleading in CM/ECF on or before **November 27, 2018**.

**IT IS SO ORDERED.**

ENTER:

  
United States Magistrate Judge